

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

TRISTATE CAPITAL BANK, a) Pennsylvania state chartered bank,)))
Plaintiff,)	Case No.: 2:21-mc-399
v.)	Judge: _____
))
CHARLES A. MANTELL, ESQUIRE &) DAVID C. NOVICKI, AS CO-EXECUTORS) OF THE ESTATE OF LOUIS L. CERUZZI) AKA LOUIS CERUZZI AND LOUIS L.) CERUZZI, JR., DECEASED, THE ESTATE) OF LOUIS L. CERUZZI AKA LOUIS) CERUZZI AND LOUIS L. CERUZZI, JR.,) DECEASED and BVS ACQUISITION CO.) LLC, a Delaware limited liability company,)))
Defendants.))

CONFESSTION OF JUDGMENT

Pursuant to the authority contained in the warrants of attorney, copies of which is attached to the complaint filed in this action, I appear for the Defendants **CHARLES A. MANTELL and DAVID C. NOVICKI, AS CO-EXECUTORS OF THE ESTATE OF LOUIS L. CERUZZI AKA LOUIS CERUZZI AND LOUIS L. CERUZZI, JR., DECEASED, and THE ESTATE OF LOUIS L. CERUZZI AKA LOUIS CERUZZI AND LOUIS L. CERUZZI, JR., DECEASED and BVS ACQUISITION CO. LLC, a Delaware limited liability company**, and confess judgment in favor of Plaintiff, TriState Capital Bank, under the Term Note (which is attached to the complaint), jointly and severally, in the amount of **\$8,275,145.11** as of March 31, 2021 together with post-judgment interest at the default rate computed as follows:

Principal	\$7,875,000.00
Interest	51,728.62
Default interest	98,416.49
<u>Attorneys' Commission</u>	<u>250,000.00</u> ¹
Total	\$8,275,145.11

The principal balance continues to accrue interest at the interest rate and default interest rate set forth in the applicable promissory note or other loan documents.

¹ The Warrant of Attorney permits a commission of 10% of the outstanding balance of principal and interest. Plaintiff reserves the right to reassess damages in the event its attorneys' fees exceed \$250,000.

BUCHANAN INGERSOLL & ROONEY PC



Timothy P. Palmer (Pa. Id. No. 86165)
Union Trust Building
501 Grant Street, Suite 200
Pittsburgh, PA 15219
Tel: (412) 562-8800
Fax: (412) 562-1041
Attorney for Defendants